

REMARKS

This Response is submitted in reply to the Office Action dated June 7, 2006 and in conjunction with the enclosed Request for Continued Examination. Claims 1, 11 and 40 have been amended for the reasons set forth below. No new matter has been added to the Claims. A Petition for One Month Extension of Time is submitted herewith. Please debit Deposit Account No. 02-1818 for any fees due in connection with this Response.

Fee Calculation for Claims

The Office Action indicated that Applicants have not paid for one independent Claim of this application. Applicants respectfully request the U.S. Patent and Trademark Office to debit Deposit Account No. 02-1818 for the fee associated with such independent Claim.

Claim Rejections – 35 U.S.C. § 102

The Office Action rejected Claims 1-5 and 7-9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0049298 A1 to Bennett ("Bennett"). Applicants respectfully disagree with such rejection.

The rejected Claims recite "an award based on a plurality of the final values." The Office Action stated that "[i]t is inherent that each stock symbol in '298 would have a plurality of final values associated with each stock symbol (multiple decimal places with digit values) . . ." As evidence, the Office Action referred to Fig. 6 of U.S. Patent Application Publication No. 2002/0193158 A1 to Weiss et al. ("Weiss") which illustrates odometer (90) as showing "\$096,925.48."

Applicants submit that "\$096,925.48" is a single value, though this single value is comprised of multiple numerals or digits. Applicants submit that "\$096,925.48" is not multiple values. By way of example, "\$096,925.48" represents the value of Ninety-Six Thousand Nine Hundred Twenty Five Dollars and Forty-Eight Cents, rather than value zero, value nine, value six, value nine, value two, value five, value four and value eight.

Accordingly, Applicants respectfully submit that Bennett does not expressly or inherently disclose "an award based on a plurality of the final values."

Nonetheless, to advance the prosecution of this application, Applicants have amended Claim 1 to clarify the Claim language. Amended Claim 1 recites the following: "the final value comprised of a one or more numerals." Applicants respectfully submit that amended Claim 1 (and Claims 2-5 and 7-9 which depend therefrom) are patentably distinguished over Bennett.

Claim Rejections – 35 U.S.C. § 103

The Office Action rejected Claims 6, 10-29 and 40-47 under 35 U.S.C. §103(a) as being unpatentable over Bennett in view of U.S. Patent Application Publication No. 2003/0027619 A1 to Nicastro, SR. ("Nicastro"). Applicants respectfully disagree with such rejection.

Applicants submit that the rejection of Claim 6 is improper because it does not rely upon prior art. For the rejection of Claim 6, the Office Action concluded that Nicastro, not Bennett, teaches displaying a plurality of final values at one time. This subject application is a continuation-in-part of U.S. Patent Application No. 10/447,779, filed on May 29, 2003, which is a continuation of U.S. Patent Application No. 09/627,198, filed on July 27, 2000, now U.S. Patent No. 6,582,306 ("Parent Application"). Applicants submit that the Parent Application discloses the subject matter defined by Claim 6, and Nicastro is not prior art with respect to the Parent Application. Accordingly, Applicants respectfully submit that the rejection of Claim 6 is improper.

Rejected Claim 10 depends from amended Claim 1, and Applicants submit that Claim 10 is patentable over the combination of Bennett and Nicastro for the reasons set forth above with respect to amended Claim 1.

Regarding the rejection of Claim 11, such Claim recites "an award based on a plurality of the final values." Applicants submit that the combination of Bennett and Nicastro does not disclose such elements for the reasons provided above with respect to the rejection of Claim 1.

Nonetheless, to advance the prosecution of this application, Applicants have amended Claim 11 to clarify the Claim language. Amended Claim 11 recites the following: "a single final value, the single final value comprised of one or more numerals" and "an award based on a plurality of the single final values." Applicants respectfully submit that amended Claim 11 (and Claims 12-20 which depend therefrom) are patentably distinguished over the combination of Bennett and Nicastro.

Rejected Claim 21 recites the following: "a second selection opportunity enabling the player to reselect a designated quantity of the selected symbols in the group" and "an award determined by applying to the sum the award modifier associated with the reselected symbol." In addressing Claim 21, the Office Action stated that Nicastro "has a second opportunity to reselect a designated quantity of symbols in the group (designated number of Leave It symbols allowing player to pick another symbol in the bonus game, Para. 51)." Applicants submit that Nicastro does not make such disclosure. Nicastro does not disclose reselecting any symbols, that is, enabling the player to select a symbol once and then later select that same symbol again during the same game. Not only does Nicastro fail to disclose such concept, but Nicastro teaches away from such a concept as follows:

The status area 104 shows the values for the first tile 130, second tile 132, third tile 134, and fourth tile 136 of 225, 450, 90, and stopper (ZONK), respectively, grayed out to indicate that those tiles have been selected and are no longer available. (Nicastro, Paragraph [0052]).

In the bonus game, for example, the tile value indicators or stopper indicators of the status area can be lined or grayed out as the selected tile is taken or left at block 312 . . ." (Nicastro, Paragraph [0058]).

For these reasons, Applicants respectfully request the withdrawal of such rejection with respect to Claim 21 and Claims 22-29 which depend therefrom.

Rejected Claim 40 recites "an award based on a plurality of the final values." The Office Action stated that "[i]t is inherent that each stock symbol in '298 would have a plurality of final values associated with each stock symbol (multiple decimal places with digit values) . . ." Applicants disagree with this conclusion for the reasons provided above with respect to the rejection of Claim 11. For those reasons, Applicants

respectfully submit that Bennett does not expressly or inherently disclose "an award based on a plurality of the final values."

Nonetheless, to advance the prosecution of this application, Applicants have amended Claim 40 to clarify the Claim language. Amended Claim 40 recites the following: "at least one value indicator associated with each of the symbols, each of the value indicators displaying an initial indication of a starting value, then an indication of at least one intermediate value and then an indication of a final value, the final value comprised of one or more numerals." Applicants respectfully submit that amended Claim 40 (and Claims 41-47 which depend therefrom) are patentable over the combination of Bennett and Nicastro.

The Office Action rejected Claims 30-39 under 35 U.S.C. §103(a) as being unpatentable over Bennett and Nicastro in view of U.S. Patent No. 6,471,588 to Sakamoto ("Sakamoto"). Applicants respectfully disagree with such rejection. Claim 30 recites the following: "enabling the player to reselect at least one of the selected symbols," and Claim 35 recites the following: "enabling the player to reselect at least one of the first and second symbols." For the reasons provided above with respect to the rejection of Claim 21, the combination of Bennett, Nicastro and Sakamoto does not disclose the concept of reselecting a symbol.

In addressing Claim 35, the Office Action stated that Nicastro "can have at least two picks available (Para. 56) and continues until all the picks are gone (Para. 57), so it can allow a player to select a second symbol." Applicants point out that selecting a first symbol then a second symbol is not the same as selecting reselecting a symbol. For all of these reasons, Applicants respectfully request the withdrawal of the rejection of Claims 30-39.

An earnest endeavor has been made to place this application in condition for formal allowance and is courteously solicited. If the Examiner has any questions regarding this Amendment, the Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY


Renato L. Smith
Reg. No. 45,117
Cust. No. 29159

Dated: September 27, 2006